

6 file
~~SECRET~~~~SECRET - LIMDIS~~*under*
Accession Clause - Conference - GDR Problem

1. With respect to conference problems, the language of Article IV, paras. 1 and 2 providing for possibility of a conference on amendments is derived from the limited test ban treaty. Secretary Rusk testified in 1963 that "we preserve our right to object" should the GDR subsequently seek to assert privileges under the test ban treaty such as endeavoring to attend an amendments conference. We advised the FRG then that it was our intention to oppose GDR participation and we could not foresee any situation in which we would fail to interpose objection. (Deptel 200 to PARIS, repeated as 489 to BONN) Unless the FRG has an other views, our present thinking with respect to/NPT amendments clause is along the same lines. The same position would, of course, apply to para. 3 of Article IV calling for a review conference.

2. ~~You may advise the FRG that~~ The treaty would contain an accessions clause similar to that of the limited test ban treaty. As in the case of that treaty, we would reject a GDR signature in Washington and presume the UK would do so in London. If France should indicate interest in adhering and becoming a depositary government, we assume

~~SECRET~~
~~SECRET - LIMDIS~~

~~SECRET - LIMDIS~~

-2-

she would reject a GDR signature in Paris also. An FRG signature would be accepted in three or four capitals; GDR in only one. We would, of course make a general disclaimer statement as we did with the test ban treaty and the space treaty. The basis for our right to object to GDR participation in a conference would be general lack of recognition of the GDR as a state -- a fact reflected in the rejection of the GDR's signature or accession by all depositary governments but one.

Note: Above cleared by Messrs. Meeker and Fisher.

ACDA/GC:GBunn:amc

~~SECRET - LIMDIS~~